



# UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/935,757	08/24/2001	Bettina Mockel	P 282664 000445 BT

00909  
PILLSBURY WINTHROP LLP  
1600 TYSONS BOULEVARD  
MCLEAN, VA 22102

CONFIRMATION NO. 8904

## FORMALITIES LETTER



\*OC000000006538994\*

Date Mailed: 09/10/2001



## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

### Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$458.
 

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sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:



- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, appearing to be "Thane", written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FILING COMPLETION UNDER RULE 53(f)

( NOT PCT Applications)

For Design, Provisional, or Utility Applications

PATENT APPLICATION

COMPLETION Under  
Rule 53(f)

In re PATENT APPLICATION of

Inventor(s): MÖCKEL et al.

Appln. No.: 09

Series Code ↑

935,757

Serial No. ↑

Atty.Dkt.

P

282664

M#

000445 BT

Client Ref

Attn: Application Division

Filed: August 24, 2001

Title: Sequences which code for the sigE gene

Hon. Commisioner of Patents  
Washington,DC 20231

Date: December 6, 2001

Sir:

The following completes the filing under Rule 53(f) of the above-identified patent application:

1. **Notice to File Missing Parts** ☒ copy attached ☐ not yet received
2. ☒ Signed Declaration attached. ☒ Original ☐ Facsimile/Copy

(Always "X" box 2 if filling signed Declaration and

"X" box 2A only if top box of the Declaration is X'd and file application copy, or

"X" box 2B only if none of the top three boxes of the Declaration is X'd.)

- 2A. ☐ Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.
- 2B. ☐ The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 63 Declaration.
3. ☐ Specification originally filed in non-English language; hence verified translation attached of:
  - a. ☐ Abstract
  - b. #  pages of Specification(only spec. & claims)
  - c. ☐ Drawing(s)  No of Sheets
  - ☐ Fig(s).
4. ☐ Letter filing formal drawing attached.

5. ☒ Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.

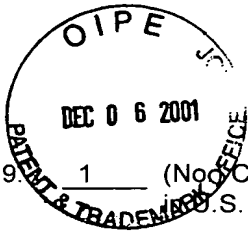
6. **DOMESTIC/INTERNATIONAL** priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1) 60/295,009	June 4, 2001	(2)	
(3)		(4)	
(5)		(6)	

7. **FOREIGN** priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in GERMANY

Application No.	Filing Date	Application No.	Filing Date
(1) DE 100 43 336.7	September 2, 2000	(2) DE 101 26 422.4	May 31, 2001
(3)		(4)	
(5)		(6)	

Completion Under Rule 53(f)



9. 1 (No) Certified copy (copies): ☒ attached; ☐ previously filed (date) \_\_\_\_\_  
 U.S. Application No. 1 filed on \_\_\_\_\_

10. Small Entity Status ☐ ☒ is Not claimed ☐ is claimed (file PAT-256 if this is the first claim of Small Entity Status)

11. ☐ Attached:

12. ☒ Amendment to Comply with Sequence Listing See attached

**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED**

				Large/Small Entity		Fee Code
13. Basic Filing Fee . . . . . Design Application				\$330/\$165		106/26
Not Design Application				\$740/\$370	+740	101/201
14. Total Effective Claims	26	minus 20 =	6	x \$18/\$9	+108	103/203
15. Independent Claims	4	minus 3 =	1	x \$84/\$42	+84	102/202
16. If any proper multiple dependent claim (ignore improper) is present, (Leave this line blank if this is a reissue application)				\$280/\$140	+280	104/204
17. Surcharge for filing Declaration/filing fee late				\$130/\$65	+130	105/205
18. FILING FEE ENCLOSED =					\$1342	
19. Original due date: November 10, 2001						
20. Petition is hereby made to extend the original due date to				(1 mo)	\$110/\$55 =	+110
cover the date this response is filed for which the requisite fee				(2mos)	\$400/\$200 =	115/215
is attached				(3mos)	\$920/\$460 =	116/216
				(4mos)	\$1,440/\$720 =	117/217
21. If "non-English" box 3 is X'd, add Rule 17(k) processing fee . . . . .				\$130	+0	118/218
22. If "assignment" box 5 is X'd, add recording fee . . . . .				\$40	+40	139
23. Petition Fee for				\$130	+0	581
24. TOTAL FEE ENCLOSED =					\$1492	

Our Deposit Account No. 03-3975

Our Order No. 21123

282664

C#

M#

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

**Pillsbury Winthrop LLP  
Intellectual Property Group**

1600 Tysons Boulevard  
McLean, VA 22102  
Tel: (703) 905-2000

By Atty: Michael A. Sanzo

Reg. No. 36912

Sig:

*Michael A. Sanzo*

Fax: (703) 905-2500  
Tel: (703) 905-2173

Atty/Sec: MAS/AMX

**NOTE: File in duplicate with PTO receipt (PAT-103A) and attachments**